



**COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PLANNING AND BUILDING  
STAFF REPORT**

**SUBDIVISION REVIEW BOARD**

Promoting the wise use of land

<b>MEETING DATE</b> December 2, 2013	<b>CONTACT/PHONE</b> Stephanie Fuhs (805) 781-5721 sfuhs@co.slo.ca.us	<b>APPLICANT</b> Richard and Maureen Cicchitelli	<b>FILE NO.</b> CO 12-0080 SUB2012-00031
<b>SUBJECT</b> Hearing to consider a request by Richard and Maureen Cicchitelli for a Tentative Parcel Map (CO 12-0080) to subdivide an existing 25,530 square foot parcel into two parcels of 13,589 and 11,941 square feet each for the purpose of sale and/or development. The project includes a road exception request for portions of Grell Lane back to Elm Street (the nearest County maintained road). The proposed project is within the Residential Single Family land use category and is located at 2710 Grell Lane, approximately 500 feet west of the Grell Lane/South Elm Street intersection in the community of Oceano. The site is in the San Luis Bay (Inland) planning area.			
<b>RECOMMENDED ACTION</b> Approve Tentative Parcel Map CO 12-0080 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
<b>ENVIRONMENTAL DETERMINATION</b> The Environmental Coordinator finds that the previously adopted Mitigated Negative Declaration is adequate for the purposes of compliance with CEQA because no substantial changes are proposed in the project which will require major revision of the previous Mitigated Negative Declaration, no substantial changes occur with respect to the circumstance under which the project is undertaken which will require major revision of the previous Mitigated Negative Declaration, and no new information of substantial importance has been identified which was not known at the time that the previous Mitigated Negative Declaration was adopted.			
<b>LAND USE CATEGORY</b> Residential Single Family	<b>COMBINING DESIGNATION</b> Airport Review Area	<b>ASSESSOR PARCEL NUMBER</b> 062-303-084	<b>SUPERVISOR DISTRICT(S)</b> 4
<b>PLANNING AREA STANDARDS:</b> None applicable			
<b>LAND USE ORDINANCE STANDARDS:</b> 22.22.080 - Subdivision Design Standards (Residential Single Family), 22.10.140 - Setbacks			
<b>EXISTING USES:</b> Single family residence			
<b>SURROUNDING LAND USE CATEGORIES AND USES:</b> <div style="display: flex; justify-content: space-between;"><div><i>North:</i> Agriculture/Undeveloped <i>South:</i> Residential Single Family/Residences</div><div><i>East:</i> Residential Single Family/Residences <i>West:</i> Residential Single Family/Residences</div></div>			
<b>OTHER AGENCY / ADVISORY GROUP INVOLVEMENT:</b> The project was referred to: Oceano Advisory Council, Public Works, Environmental Health, County Parks, Oceano Community Services District, Airport Land Use Commission, Cal Trans			
<b>TOPOGRAPHY:</b> Mostly level		<b>VEGETATION:</b> Grasses, ornamental landscaping, pines	
<b>PROPOSED SERVICES:</b> Water supply: Community system Sewage Disposal: Community sewage disposal system Fire Protection: Five Cities Fire		<b>ACCEPTANCE DATE:</b> October 7, 2013	
<small>ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING &amp; BUILDING AT: COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242</small>			

## ORDINANCE COMPLIANCE

### *Minimum Parcel Size*

Section 22.22.080 of the Land Use Ordinance establishes standards for determining minimum parcel sizes in the Residential Single Family land use category. The standards are based on the type of access serving the property, the topography of the site, and the type of water supply and sewage disposal. Minimum parcel size is based on the largest parcel size as calculated by tests. The proposed parcels meet all requirements for 6,000 parcels as follows:

TEST	STANDARD	MINIMUM PARCEL SIZE
Access	Located on a local street (Grell Lane)	6,000 square feet
Slope	Average slope is between 0 and 15%	6,000 square feet
Water Supply and Sewage Disposal	Community Water Community sewer	6,000 square feet

### *Quimby Fees*

Title 21, the Real Property Division Ordinance, establishes an in-lieu fee for all new land divisions for the purpose of developing new, or rehabilitating existing, park or recreational facilities to serve the land division. Payment of the parkland fee for all undeveloped parcels is required prior to map recordation.

### *Inclusionary Housing Fees*

Title 29, the Affordable Housing Fund, establishes an in-lieu fee to create a fund that would help to meet, in part, the housing needs of the County's very low, low, moderate income and workforce households. Section 22.12.080 of Title 22, the Land Use Ordinance, describes the options the applicant may choose to satisfy the requirement. *In this case, since the project results in one new parcel with only one primary residence allowed, the project will not be subject to these standards.*

### *Design Standards*

The proposed parcels are consistent with the design criteria set forth in Chapter 3 of the Title 21 of the Real Property Division Ordinance.

## BACKGROUND

The project is the re-subdivision of Parcel 3 of Parcel Map CO 04-0502 that was recorded July 10, 2010. The main issues with the previous subdivision were road improvements and the number of residences accessing along Grell Lane and a recorded covenant and agreement limiting the number of residences on the original parcel (Lot 4 of Tract 1394) to two units.

The Subdivision Review Board approved Parcel Map CO 04-0502 granting a road exception request to allow more than five parcels to access onto a private easement and limited road improvements to those required by the Oceano Fire Department (now the Five Cities Fire Authority). Those improvements included a hammerhead turn around constructed at the end of Grell Lane on the subject property. County Counsel reviewed the recorded covenant and agreement and determined that the document was an agreement between two private parties, not a condition of any County approval; therefore, the matter was civil and did not impact the County's authority to approve the tentative parcel map.

#### PLANNING AREA STANDARDS

Airport Review Area: The project was reviewed by the Airport Manager and the project has been conditioned to record an aviation easement prior to issuance of construction permits.

#### ADJUSTMENTS

*Road Exception Request* - The applicant has requested a road exception for Grell Lane since it serves more than five parcels. Public Works staff has reviewed the request and determined that an exception can be granted that allows for A-1 improvements instead of the normally required A-2 standards.

#### COMMUNITY ADVISORY GROUP COMMENTS

The Oceano Advisory Council supported the project at their October 28, 2013 meeting.

#### AGENCY REVIEW

**Public Works** - Provided recommended conditions of approval for road improvements, improvement plans, grading, and additional map sheet.

**Environmental Health** – Initial letter from OCSD not an “intent to serve” letter

**County Parks** – Require Quimby fees

**Oceano Community Services District** – No comments received

**Five Cities Fire Authority** – No comments received

**ALUC** – Consistent with the Oceano Airport Land Use Plan

**Airport Manager** – Responded with “no comment”

**Cal Trans** – No comments received

#### LEGAL LOT STATUS:

The one lot was legally created by a recorded map at a time when that was a legal method of creating lots.